

TWELFTH DAY

(Tuesday, January 31, 1967)

The Senate met at 10:30 o'clock a.m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

Message From the House

Hall of the House of Representatives
Austin, Texas,
January 31, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 8, Requesting the Governor to submit an emergency matter to the Legislature State employees' pay raise.

(With Amendment)

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Bill and Resolutions Signed

The President signed in the presence of the Senate after the caption had been read, the following enrolled bill and resolutions:

H. B. No. 1, Appropriating Five Hundred Thousand Dollars to the House of Representatives and Two Hundred Sixty Thousand Dollars to the Senate for per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, capital outlay, repairs and renovations to capitol, other necessary expenses, and for operations of the Legislative Council; and declaring an emergency.

Signed, Subject to the provisions of Section 49A of Article III of the Constitution of the State of Texas.

H. C. R. No. 15, Memorial Resolution for Joe S. Bridwell.

S. C. R. No. 7, Commending Wayne Stroud of Pasadena on heroism during fire in his home.

Committee on Senate Resolution 62

The President announced the appointment of the following as a committee pursuant to the provisions of S. R. No. 62:

Senators Hightower, Hardeman and Herring.

Senate Resolution 69

Senator Brooks offered the following resolution:

Whereas, The Pasadena News Citizen of Pasadena, Texas, was the recipient in July, 1966 of the coveted General Excellence Award for Newspapers in Division 1, which was presented by the Texas Press Association; and

Whereas, To attain this "sweepstakes" prize in the Texas newspaper field, the News Citizen competed with newspapers in cities throughout the state having populations between 15,000 and 150,000, a division including the daily newspapers in nearly all Texas cities except the larger metropolitan areas; and

Whereas, A handsome engraved plaque certifying the general excellence of the newspaper cited News Citizen's editorials for first place, and column writing, appearance, and news pictures for third place; and

Whereas, The collection and dissemination of news, its interpretation in the editorial columns, and, in general, the leadership exerted in community life make the daily news-

paper one of the most potent forces in our democracy, and the award for General Excellence received by the Pasadena News Citizen attests to the manner in which it is fulfilling these obligations; and

Whereas, The Senate of the 60th Legislature wishes to recognize the service and achievement of the Pasadena News Citizen; now, therefore, be it

Resolved, That the Senate of the State of Texas, by this Resolution, extend congratulations to the Pasadena News Citizen and its staff on this outstanding success; and, be it further

Resolved, That copies of this Resolution be prepared under the Seal of the Senate and forwarded to News Citizen Editor Dick Nichols and Publisher Tex Adams.

The resolution was read and was adopted.

Report of Standing Committee

Senator Hardeman submitted the following report:

Austin, Texas,
January 31, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on State Affairs to which was referred S. C. R. No. 12, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HARDEMAN, Chairman.

Senate Bills and Resolution on First Reading

The following bills and resolution were introduced, read first time and referred to the Committee indicated:

By Senator Herring:

S. B. No. 127, A bill to be entitled "An Act amending Sec. 9, Chap. 181 p. 444, Acts of the 44th Legislature, Regular Session, 1935 (Art. 4413 (9), Vernon's Civil Statutes), affecting the appointment, promotion, and discharges of officers and employees of the Department of Public Safety so as to eliminate from the law the requirement of Texas residence at

the time of application for employment; and declaring an emergency."

To the Committee on Jurisprudence.

By Senators Christie and Harrington:

S. B. No. 128, A bill to be entitled "An Act to provide for standard time in this state and to exempt this state from the provisions of federal law relating to uniform advancement of time; amending Section 1, Chapter 359, Acts of the 50th Legislature, 1947 (Article 23a, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on State Affairs.

By Senators Christie and Hightower:

S. B. No. 129, A bill to be entitled "An act authorizing incorporated cities, towns and villages, by majority vote of the qualified voters of any such city, town or village, voting at an election held for that purpose, to impose a local sales and use tax of one per cent (1%) on the sale or use of certain tangible personal property in such cities, towns and villages; providing for the abolition of the local sales and use tax authorized herein by majority vote of the qualified voters of any such city, town or village; providing for the administration and collection and enforcement of such tax by the State of Texas; authorizing the Comptroller of Public Accounts of the State of Texas to prescribe rules, regulations, and forms for the administration of this Act; providing that the Comptroller of Public Accounts of the State of Texas may promulgate a bracket system formula for the joint collection of the taxes authorized by this Act and the taxes authorized by the Limited Sales, Excise and Use Tax Act of the State of Texas, and prescribing the standards to be followed by the Comptroller in promulgating such bracket system formula; providing for the allocation of revenues from taxes collected under this Act; providing for surety bonds for the Comptroller of Public Accounts and his staff and for payment of premiums on such bonds; prescribing procedure in contests of election for elections held under this Act; providing that this Act shall be cumulative of all existing powers of taxation of any city; providing for

penalty; repealing all laws or parts of laws inconsistent or in conflict herewith; providing for severability; and declaring an emergency."

To the Committee on State Affairs.

By Senators Watson, Harrington and Cole:

S. B. No. 130, A bill to be entitled "An Act amending the Veterans' Land Board—Veterans' Land Fund Act, being Chapter 318, Acts of the Fifty-first Legislature, Regular Session, 1949, as amended, providing for the issuance and sale of Veterans' Land Bonds; providing for certain moneys and lands to comprise the Veterans' Land Fund; providing for the repayment of the principal and interest due on Veterans' Land Bonds, investments of the moneys of the Veterans' Land Fund, certain uses of the moneys of the Fund, for the negotiability of Veterans' Land Bonds, declaring Veterans' Land Bonds to be legal investments under certain circumstances, for the purchase of Veterans' Land Bonds on the open market and cancellation of the indebtedness represented thereby; providing for certain expenses to be paid out of certain moneys of the Veterans' Land Fund; providing for the purchase of lands with certain moneys of the Veterans' Land Fund; providing for the purchase, subdivision and sale or resale of lands by the Veterans' Land Board and the payment of certain expenses out of certain moneys of the Veterans' Land Fund; providing for the purchase and sale of land selected by veterans; providing generally for the sale of land acquired by the Veterans' Land Board, for the transfer, sale or conveyance of land by veterans and their heirs or assigns, for leases by veterans and their heirs or assigns, for the prohibition of certain transactions by veterans and their heirs or assigns and exceptions thereto, and for the issuance of deeds by the Chairman of the Veterans' Land Board and the effect thereof, providing a saving and severability clause; making the Act cumulative; and declaring an emergency."

To the Committee on Military and Veterans Affairs.

By Senator Watson:

S. B. No. 131, A bill to be entitled

"An Act relating to the election of directors, quorum and voting of directors, and committee membership of non-profit corporations; amending Articles 2.14, 2.17, and 2.18, Texas Non-Profit Corporation Act (Articles 1396-2.14, 1396-2.17, and 1396-2.18, Vernon's Texas Civil Statutes); providing for severability; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Watson:

S. B. No. 132, A bill to be entitled "An Act to amend certain provisions of the Texas Business Corporation Act, Chapter 64, Acts of the 54th Legislature, 1955, as amended, by amending Subsection (13) of Section A of Article 1.02 (relating to the definition of "earned surplus"); amending Section C of Article 2.02 (relating to corporate powers); amending Section C of Article 2.07 (relating to registration of names); adding a new Article 2.10-1 (relating to change of address of the registered agent); amending Section E of Article 2.22 (relating to transfer of shares); amending Section A of Article 2.29 (relating to voting rights of shares); adding a new Section C to Article 4.02 (relating to amendment of the articles of incorporation by the incorporators); adding a new Section B to Article 4.04 (relating to articles of amendment); amending Section B of Article 5.03 (relating to merger or consolidation of domestic corporations); amending Subsection (1) of Section B of Article 5.07 (relating to merger or consolidation of domestic and foreign corporations); amending Subsection (3) of Section A of Article 5.10 (relating to disposition of corporate assets); amending Article 5.12 (relating to procedure for dissent by shareholders as to certain corporate actions); amending Article 5.13 (relating to dissent by shareholders to certain corporate actions); amending Part Six (relating to voluntary corporate dissolution); amending Section A of Article 7.06 (relating to involuntary corporate dissolution); adding a new Section D to Article 8.09 (relating to the registered office and registered agent of the foreign corporation); amending Article 9.10 (relating to corporate actions without a meeting); amending Article 10.01 (relating to fee schedule); repealing Subsection (7) of

Section A of Article 5.06 (relating to the effect of merger or consolidation on earned surplus); repealing Article 8.04 (relating to name reservation by foreign corporation); containing savings and partial invalidity clauses and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Watson:

S. B. No. 133, A bill to be entitled "An Act amending Chapter 388, Acts of the 55th Legislature, Regular Session, 1957 (Article 1513a, Vernon's Texas Civil Statutes), to provide that corporations authorized under that Act are subject to supervision by the Banking Commissioner of Texas and to specify the procedure, terms, and extent of such supervision, and penalties for noncompliance; repealing Chapter 165, General Laws, Acts of the 42nd Legislature, Regular Session, 1931 (Article 1524a, Vernon's Texas Civil Statutes); providing a severability clause; and declaring an emergency."

To the Committee on Banking.

By Senator Watson:

S. B. No. 134, A bill to be entitled "An Act relating to cosmetologists and hairdressers; amending the following sections and subsections of Chapter 16, General Laws, Acts of the 44th Legislature, Regular Session, 1935, as amended (Article 734b, Vernon's Texas Penal Code): Subsection (c), Section 2, relating to the acts and practices which constitute the practice of cosmetology and hairdressing; Subsection (d), Section 4, relating to health certificates; Subsection (a), Section 5, relating to surety bond and financial responsibility qualification of applicants for a certificate of registration or license to operate a school of beauty culture; Subsection (b), Section 5, relating to instructional and curriculum standards for licensed schools of beauty culture; Subsection (c), Section 5, relating to the qualifications of students and those taking the licensing examination; Subsection (e), Section 5, relating to charging for work done by instructors and relating to student work on patrons; adding a new Subsection (g) to Section 5, requiring a sign on the exterior of the beauty school and requiring display of a sign in the reception area designating that all work is being done only by senior

students under the supervision of licensed instructors; Subsection (a), Section 9, relating to the making and enforcing of sanitary rules; Subsection (a), Section 11, relating to the conditions and procedures for suspending or revoking licenses or certificates of registration; Section 12, exempting certain services from licensing requirements and prescribing requirements for demonstrators; Section 15, relating to penalties for certain offenses; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Moore:

S. B. No. 135, A bill to be entitled "An Act authorizing the Texas Board of Corrections to convey certain state-owned land held for the use of the State Department of Corrections to Samuel and Samuel in exchange for certain other land of equal acreage; and declaring an emergency."

To the Committee on State Affairs.

By Senator Moore:

S. B. No. 136, A bill to be entitled "An act relating to disability retirement benefits under the Teacher Retirement System; amending Subsection 1, Section 6, Chapter 470, Acts of the 45th Legislature, Regular Session, 1937, as amended (Article 2922-1, Vernon's Texas Civil Statutes); and declaring an emergency."

To the Committee on Education.

By Senators Watson, Schwartz and Grover:

S. B. No. 137, A bill to be entitled "An Act recognizing certain bonds of the State of Israel as authorized investments for Texas life insurance companies; amending Subdivision A, Part I, Article 3.39, Texas Insurance Code, as amended; and declaring an emergency."

To the Committee on Insurance.

By Senator Watson:

S. B. No. 138, A bill to be entitled "An Act to provide that when shares are registered on the books of a corporation in the names of two or more persons as joint owners, with the right of survivorship, the surviving joint owner shall have the power to transfer title to such shares and receive dividends thereon; that no liability shall accrue to any corpo-

ration because of such transfer or payment of dividends prior to receipt of actual written notice by an adverse claimant; that such discharge of liability on the part of the corporation shall not affect a cause of action by an adverse claimant against such surviving joint owner; and declaring an emergency."

To the Committee on Jurisprudence.

By Senator Watson:

S. B. No. 139, A bill to be entitled "An Act relating to the death or declination of a nominee or candidate before an election; amending Sections 60, 104, and 233(e), Texas Election Code, as amended (Articles 6.04, 8.22, and 13.56(e), Vernon's Texas Election Code, respectively); repealing Section 233(f), Texas Election Code (Article 13.56(f), Vernon's Texas Election Code); and declaring an emergency."

To the Committee on Privileges and Elections.

By Senator Watson:

S. B. No. 140, A bill to be entitled "An Act giving teaching and research personnel at institutions of higher education an election to receive their salaries on a nine-month or 12-month basis; and declaring an emergency."

To the Committee on Education.

By Senator Wilson:

S. B. No. 141, A bill to be entitled "An Act providing for the regulation of intrastate public utility rates and services; creating Texas Public Utility Board; giving such Board certain powers; establishing a levy upon utility intrastate gross receipts; providing certain circumstances whereby the Board shall regulate utilities within the boundaries of incorporated cities, towns or villages; repealing statutes and portions of statutes in conflict; and declaring an emergency."

To the Committee on State Affairs.

By Senators Mauzy and Christie:

S. B. No. 142, A bill to be entitled "An Act amending Sections 8, 10, 11 and 12 of Article 8306, Revised Civil Statutes of Texas so as to increase the maximum benefits provided in the Workmen's Compensation Law and declaring an emergency."

To the Committee on State Affairs.

By Senator Aikin:

S. B. No. 143, A bill to be entitled "An Act providing for the implementation of a program of student teaching, providing for administration of program, financing of program, an effective date, a severability clause, and an emergency clause."

To the Committee on Education.

By Senator Berry:

S. B. No. 144, A bill to be entitled "An Act eliminating both the party loyalty pledge on the primary election ballot and the stamping of party affiliation on the registration certificate; amending Sections 189, 46a, and Subsections (a) and (c), Section 212, as amended, Texas Election Code (Articles 13.11, 5.14a and 13.34, respectively, Vernon's Texas Election Code); repealing Section 179a, Texas Election Code (Article 13.01a, Vernon's Texas Election Code); and declaring an emergency."

To the Committee on Privileges and Elections.

By Senators Watson, Harrington and Cole:

S. J. R. No. 7, Proposing an amendment to Section 49-b, Article III, of the Constitution of Texas so as to authorize an increase in the total amount of bonds or obligations that may be issued by the Veterans' Land Board to Four Hundred Million Dollars (\$400,000,000.00): providing for the issuance of said bonds or obligations and the conditions relating thereto and the use of the Veterans' Land Fund; and providing for an election and the issuance of a proclamation therefor.

To the Committee on Constitutional Amendments.

Message From the House

Hall of the House of Representatives
Austin, Texas,
January 31, 1967.

Hon. Preston Smith, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. C. R. No. 10, In memory of Lieutenant Colonel Virgil I. (Gus) Grissom, Lieutenant Colonel Edward H. White, II, and Lieutenant Commander Roger B. Chaffee.

S. C. R. No. 11, In memory of Judge Thomas R. Bond.

Respectfully submitted,

DOROTHY HALLMAN,
Chief Clerk, House of Representatives

Co-Author of Senate Bill 137

On motion of Senator Watson and by unanimous consent Senator Grover will be shown as Co-author of S. B. No. 137.

Senate Resolution 71

Senator Herring offered the following resolution:

Whereas, The Second Annual Conference of Mexican and North American University Students is convening on the campus of The University of Texas on Wednesday, February 1, 1967, and will continue for a five-day period through February 5; and

Whereas, The Conference is sponsored jointly by the Students Association of The University of Texas and the Texas Intercollegiate Students Association, representing 40 Texas colleges and universities and over 170,000 college students; and

Whereas, Delegations to the Conference include a 30-member group of university students from Mexico and an equal number from various colleges and universities throughout the United States, including representation from Texas; and

Whereas, These young students are concerned about international relations in this twentieth century and plan to probe for facts and participate in discussions which might identify the origins of problems facing this hemisphere; and

Whereas, The Senate of the 60th Legislature wishes to recognize the students of our colleges and universities and those of our sister Republic of Mexico for their interest in and serious approach to the problems of hemispheric relations; now, therefore, be it

Resolved, That the Senate of Texas by this Resolution welcome those attending the Conference to The University of Texas Campus, to the City of Austin, and to the State of Texas; and, be it further

Resolved, That the Senate commend the students from Mexico and the

United States who are attending the Conference, the Students Association of The University of Texas and the Texas Intercollegiate Students Association for their active interest in and approach to an understanding of hemispheric problems and inter-American relations.

The resolution was read and was adopted.

Senate Concurrent Resolution 14

Senator Brooks offered the following resolution:

S. C. R. 14, Granting Nassau, Inc. permission to sue the State of Texas.

Whereas, It is alleged that Nassau, Inc., a private corporation organized and existing under and by virtue of the laws of the State of Texas, is the fee simple owner of certain lands, including a certain tract or parcel of land containing 105 acres, more or less, which forms a peninsula bounded on the south and on the east by Clear Creek, on the west by Swan Lagoon, and on the north by Clear Lake, all of which lands are situated in and are part of a sitio or league of land known as the Sarah Deel League in Harris County, Texas, which sitio or league of land was granted by the State of Coahuila and Texas of the Republic of Mexico to Sarah Deel by a grant or patent dated November 20, 1832, a translation of which is recorded in Volume "B", Page 78 of the Deed Records of Harris County, Texas; and

Whereas, It is alleged that a question exists or may exist as to the true location of the boundary lines or part of the boundary lines of said Sarah Deel League which adjoins submerged lands owned by the State of Texas, and further that a question exists or may exist as to the true location of the boundary lines of said peninsula tract or parcel of land which separate the uplands privately owned by said Nassau, Inc., and the submerged lands owned by the State of Texas; and

Whereas, Nassau, Inc., wishes to have the boundary questions finally determined and settled, so that the land can be developed; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That

(1) Nassau, Inc., is granted permission to sue the State of Texas in a court of competent jurisdiction in Harris County, Texas;

(2) if suit is filed, service of citation and other required process shall be made upon the Attorney General of Texas and upon the Commissioner of the General Land Office; and

(3) the suit shall be conducted as in other civil cases; and, be it further

Resolved, That

(1) nothing in this Resolution may be construed as an admission by the State of Texas, or by any of its employees, agents, departments, agencies, or political subdivisions, of liability or of the truth of any allegation asserted by the claimant, but the alleged cause of action must be proved under the laws of this state as in other cases;

(2) nothing in this Resolution may be construed as a waiver of any defense, of law or fact, available to the State of Texas or to any of its employees, agents, departments, agencies, or political subdivisions; and

(3) every defense is specifically reserved.

The resolution was read and referred to the Committee on Jurisprudence.

Reports of Standing Committees

Senator Herring by unanimous consent submitted the following report:

Austin, Texas,
January 31, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Jurisprudence to which was referred S. C. R. No. 14 have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

HERRING, Chairman.

Senator Hall by unanimous consent submitted the following reports:

Austin, Texas,
January 30, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 93, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
January 30, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 79, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
January 30, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 68, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
January 30, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 64, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
January 30, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 37, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
January 30, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 36, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Austin, Texas,
January 30, 1967.

Hon. Preston Smith, President of the Senate.

Sir: We, your Committee on Counties, Cities, and Towns, to which was referred S. B. No. 23, have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

HALL, Chairman.

Senate Concurrent Resolution 14 Ordered Not Printed

On motion of Senator Brooks and by unanimous consent S. C. R. No. 14 was ordered not printed.

Senate Concurrent Resolution 8 With House Amendment

Senator Creighton called S. C. R. No. 8 from the President's Table for consideration of the House amendment to the resolution.

The President laid the resolution and the following House amendment before the Senate:

Amend Senate Concurrent Resolution No. 8 by inserting in lieu thereof the following:

Whereas, There is a critical need for increasing salaries of employees of the State of Texas; and

Whereas, The Legislature has recognized that this need exists and is aware that the Executive Branch of government has also recognized this need; and

Whereas, Good judgment dictates that the long range and overall welfare of state employees must be considered as well as their immediate needs, and this general welfare must

not be jeopardized by hasty or ill-advised action; and

Whereas, The Legislature should proceed in a deliberate, considered, and orderly manner to meet this urgent problem following proper procedures; and

Whereas, Any such action, if it is to be fair and just, should cover all employees, from the lowest-paid to the highest-paid, whether salaried or paid by the hour; and

Whereas, Emergency measures proposed thus far fail to meet, in many respects, the needs of all state employees; and

Whereas, There exists at the present time a proposed state employee pay plan which is the product of the best minds available and is based on thousands of hours of reliable research, including conferences with every agency and department of state government, a plan on which there is substantial agreement by all concerned, which has been carefully conceived and prepared; and

Whereas, It has recently been proposed that relief for the financial plight of these public servants be made effective at an earlier date than originally planned; and

Whereas, The Constitution of the State of Texas, in Article III, Section 5, provides that the Governor is authorized to submit emergency matters for the consideration of the Legislature; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That the Governor be requested to submit as an emergency measure his proposed compensation plan incorporating adequate pay increases for all State employees, from the lowest-paid to the highest-paid, including those who are paid by the hour.

The House amendment was read.

Senator Creighton moved that the Senate concur in the House amendment.

The motion prevailed.

Communication From Court of Criminal Appeals

The following communication from the Presiding Judge of the Court of Criminal Appeals was read and was

referred to the Committee on Nominations:

Austin, Texas,
January 31, 1967.

To The Senate of Texas: I ask the advice, consent and confirmation of the Senate with respect to the following appointment:

To be a member of the State Board of Pardons and Paroles, Mr. A. C. Turner of Walker County, Texas.

K. K. WOODLEY,
Presiding Judge, Court of
Criminal Appeals

Senate Concurrent Resolution 6 on Second Reading

Senator Cole moved that Senate Rules 116 and 13, and Section 5 of Article III of the State Constitution be suspended and that S. C. R. No. 6 be taken up for consideration at this time.

The motion prevailed by the following vote:

Yeas—31

Aikin	Hightower
Bates	Jordan
Bernal	Kennard
Berry	Mauzy
Blanchard	Moore
Brooks	Parkhouse
Christie	Patman
Cole	Ratliff
Connally	Reagan
Creighton	Schwartz
Grover	Strong
Hall	Wade
Hardeman	Watson
Harrington	Wilson
Hazlewood	Word
Herring	

The President laid before the Senate on its second reading the following resolution:

S. C. R. No. 6, Granting E. S. Dalton and wife, Lois E. Dalton, their successors and assigns permission to sue the State of Texas.

The resolution was read and was adopted.

Notice of Executive Session

Senator Blanchard gave notice that he would move for an Executive Session on Thursday, February 2, 1967 at 11:30 o'clock a.m.

Memorial Resolutions

S. R. No. 68—By Senator Watson: Memorial Resolution for Ernest Pippin.

S. R. No. 70—By Senator Watson: Memorial Resolution for John J. Sykora.

Welcome Resolutions

S. R. No. 67—By Senator Watson: Extending welcome to students of St. Alban's Episcopal School of Waco.

S. R. No. 72—By Senator Aikin: Extending welcome to Miss Vatra Solomon and Miss Jackie Sims of Mt. Vernon.

S. R. No. 73—By Senator Grover: Extending welcome to Mr. and Mrs. Hart Mankin of Houston.

Adjournment

On motion of Senator Hardeman the Senate at 11:22 o'clock a.m. adjourned until 10:30 o'clock a.m. tomorrow.

In Memory of Sam Fore, Jr.

Senator Connally offered the following resolution:

(Senate Concurrent Resolution 13)

Whereas, A man who was an avowed and active Democrat for most of his adult life and who was honored by the 59th Legislature with the title of "MR. TEXAS DEMOCRAT 1965," Sam Fore, Jr., of Floresville, died on December 24, 1966, at the age of 75; and

Whereas, Mr. Fore devoted the full force of his great energy and dynamic leadership to the Democratic Party for most of his adult life, and counted great Democratic presidents—Lyndon B. Johnson and Franklin D. Roosevelt—among his personal friends; and

Whereas, He was a crusading newspaperman, and was owner and publisher of the Floresville Chronicle-Journal for more than 50 years; at the time of his death, he was part owner and publisher of The Robstown Record, which he purchased in 1926; he served as president of the Texas Press Association at 29, the youngest man ever to do so, and lived to be the oldest living past president of the organization; and

Whereas, He helped organize the South Texas Press Association, served as its president and held various other positions in the organization; and

Whereas, Mr. Fore was born in Cuero on May 3, 1891, and moved to Wilson County with his parents in 1901; just two years later, when he was only 12, he began his long and dedicated career in journalism by exchanging his service for the opportunity to learn the printing trade on the Stockdale Enterprise; he had a real "nose for news" and often expressed the feeling that the rewards from service in country journalism were among his greatest experiences; and

Whereas, His earliest ambition to become a lawyer was pushed aside when he left school in the eighth grade to work on the Floresville newspaper under the late Dr. John V. Blake, and by the time he was 22 he purchased the Floresville Chronicle and the Wilson County Journal, which he and his wife, Elma, operated until they sold it to Mr. and Mrs. Joe H. Fietsam on September 1, 1963; and

Whereas, Mr. Fore considered himself a "country editor" and never sought to leave the town and the county which he loved so well; his newspaper work covered the entire gamut of activities essential to "getting out the paper"—writing all types of news, editing, putting the paper together, selling advertising and commercial printing, and even setting type and operating the newspaper folder; and

Whereas, His devotion to the Democratic Party was signified by his words: "I think a man has a right to vote Republican if he wants to, but I have just always been able to find the best man in the Democratic column"; and

Whereas, He first became acquainted with the young Lyndon Johnson in 1933, when Congressman Richard Kleberg asked his aide to stop by Floresville and see "Mr. Sam," and thus began a lifelong friendship; Mr. and Mrs. Fore, and one of their daughters, Mrs. Robert Spruce of Floresville, flew from Austin to Washington with the President and Mrs. Johnson aboard the presidential jet, Air Force One, when the President was sworn in for his first full term; and

Whereas, Though his own formal education was scanty, Mr. Fore's belief in the value of education was strong: in addition to helping his own family receive an education, he assisted countless others in getting jobs and scholarships, and did whatever he could to aid anyone who wanted to go to school; he served for 12 years on the Board of Regents at Texas A&I College in Kingsville, and was a member of the advisory committee to The University of Texas School of Journalism for a number of years; a new classroom building on the A&I campus was named in his honor in March, 1966; and

Whereas, His enthusiasm for community and civic projects involved him in these activities during most of his life; he held the position of chairman of the Wilson County March of Dimes from the time it was started under the late Franklin D. Roosevelt; he was active in the Wilson County Red Cross for many years, was a past president of the Floresville Chamber of Commerce and an honorary member and director of the South Texas Chamber of Commerce; he was instrumental in building the Wilson County Memorial Hospital and was helping raise money for a new Wilson County Library at the time of his death; he was active in the Boy Scouts and received the Silver Beaver award in 1951; and

Whereas, Despite the many hours he gave to leadership in the Democratic Party, his newspaper enterprises, and his civic activities, he still found time for work in the First Methodist Church of Floresville, of which he was a devoted member from early adulthood; he served as chairman for 25 years and was on the board of stewards for over 50 years; he was also active in Masonry—was a 32nd Degree Scottish Rite Mason, a member of the Knights Templar, and a charter member of Alzafar Shrine in San Antonio; and

Whereas, His humanitarian interests included years of dedication to the Texas Rehabilitation Center at Gonzales, for which he served on the board of directors for 12 years; and

Whereas, He helped organize the old Wilson County Fair and later the Floresville Peanut Festival, and had received scores of plaques and awards in recognition of his services; and

Whereas, It is appropriate that the Texas Legislature pay tribute to this great Texan, who devoted a lifetime to the interests of his community, his beloved Democratic Party, his state, and his nation; now, therefore, be it

Resolved, by the Senate of Texas, the House of Representatives concurring, That the Texas Legislature does hereby recognize the services of Sam Fore, Jr., party leader, newspaperman, public benefactor, and friend; and, be it further

Resolved, That the 60th Legislature extend deep sympathy to the family of this outstanding man and that copies of this Resolution be prepared for his wife, Mrs. Elma Teas Fore; for his two daughters, Mrs. Robert F. Spruce of Floresville and Mrs. Carroll Keach of Robstown; and that when the two Houses of the Legislature adjourn this day, that they do so in memory of Sam Fore, Jr.

CONNALLY

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse Patman, Ratliff, Reagan, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of

The Honorable Cecil Storey

Senator Strong offered the following resolution:

(Senate Resolution 65)

Whereas, The State of Texas and the Cities of Vernon and Longview were saddened by the loss of the Honorable Cecil Storey, a former Member of the Texas House of Representatives for twenty years, distinguished lawyer, and one of the state's outstanding legal minds, who passed away on July 26, 1966; and

Whereas, Born at Vernon, Texas, and graduated from the University of Texas Law School in 1908; and

Whereas, He moved to Longview in 1931 and was associated with the law firm of Campbell, Taylor and Storey; and

Whereas, He served five two-year terms from Wilbarger County and five two-year terms from Gregg County in the Texas Legislature; and

Whereas, During his legislative tenure, served as Chairman of the Game and Fish Committee and as a member of the Judiciary Committee; and

Whereas, He was a strong supporter of the highway program and served as Chairman of the Highway Committee for a long period and also gave his support and influence to legislation setting up the Texas Industrial Commission and helped pass the Gilmer-Aikin education bill; and

Whereas, Throughout his legislative tenure, he was referred to by other members of the Legislature as "Judge" out of respect for his legal mind and had been affectionately referred to as the "Dean" of the Legislature; and

Whereas, He was a member of the local, state and American Bar Associations; and

Whereas, He was extremely fond of fox hunting and was widely known among fox hunters throughout the state; and

Whereas, It is the desire of the Senate of the 60th Legislature to pay tribute to this distinguished citizen and his creative life of service to others and to extend sympathy to his family, especially to his widow, Mrs. Minnie Storey; his three brothers; and his two sisters; now, therefore, be it

Resolved, That the Senate adjourn this day in memory of the Honorable Cecil Storey; and, be it further

Resolved, That copies of this Resolution be sent to his family.

**STRONG
HIGHTOWER**

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Reagan, Schwartz, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Aikin and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

In Memory of

Judge Roger F. Robinson, Sr.

Senator Reagan offered the following resolution:

(Senate Resolution 66)

Whereas, The State of Texas and the City of Raymondville were saddened by the loss of Judge Roger F. Robinson, Sr., a former Member of the Texas House of Representatives, distinguished jurist, brilliant lawyer, and one of the state's outstanding church and civic workers, who passed away at the age of 67 on June 8, 1966; and

Whereas, Born in 1899 at Jewett, Texas, he was the son of a pioneer East Texas newspaper family who for many years published the Jewett "Messenger"; and

Whereas, He moved to Raymondville in 1925, where he married Mary Crowell and where he lived until his death; and

Whereas, Judge Robinson was graduated from Southwest Texas State Teachers College in San Marcos with a B.A. degree and then taught school while earning an L.L.B. at The University of Texas School of Law; and

Whereas, During the 1923 and 1925 sessions of the House, Judge Robinson served actively and effectively as the State Representative from Leon County; and

Whereas, He was elected Willacy County Attorney in 1926 and held that office between 1926 and 1932, and again in 1943; and

Whereas, Appointed judge of the 107th District Court in 1954 by Governor Allan Shivers, Judge Robinson ably served Cameron and Willacy Counties throughout his appointive term, after which he chose to seek election; and

Whereas, Since coming to Willacy County in 1925, Judge Robinson had participated in almost every civic project undertaken in the county and was acclaimed one of the great developers of Willacy County because of his unselfish and untiring labor for county progress; and

Whereas, Judge Robinson was a dedicated Christian and past president of the official board of the Raymondville First Methodist Church, a teacher of the men's class at the Sunday School for over 30 years, and a leader in the successful drive to build the present church; and

Whereas, As a life-member of the Raymondville Masonic Lodge, he was a 32nd Degree Mason and holder of the KCCH degree; and

Whereas, Many youths in his community will sorely miss Judge Robinson's always available and wise counsel; and

Whereas, Judge Robinson served his country in World War I in the United States Navy and was active thereafter in American Legion work; and

Whereas, Despite Judge Robinson's active concern for the welfare of his community, its citizens, and his country, he was above all a devoted husband and father; and

Whereas, It is the desire of the Senate of the 60th Legislature to pay tribute to this distinguished citizen and his creative life of service to others, and to extend sympathy to his family, especially to his widow, Mrs. Mary Robinson; his son, Roger F. Robinson, Jr.; his three brothers; and his three grandchildren; now, therefore, be it

Resolved, That the Senate adjourn this day in memory of Judge Roger F. Robinson, Sr.; and, be it further

Resolved, That copies of this Resolution be sent to his family.

REAGAN

Signed—Lieutenant Governor Preston Smith; Aikin, Bates, Bernal, Berry, Blanchard, Brooks, Christie, Cole, Connally, Creighton, Grover, Hall, Hardeman, Harrington, Hazlewood, Herring, Hightower, Jordan, Kennard, Mauzy, Moore, Parkhouse, Patman, Ratliff, Schwartz, Strong, Wade, Watson, Wilson, Word.

The resolution was read.

On motion of Senator Hardeman and by unanimous consent the names of the Lieutenant Governor and all Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.